

**DURKIN & DURKIN, LLC**

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Thomas E. Durkin, Jr.  
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January 8, 2020

**VIA CM/ECF**

Honorable Michael B. Kaplan, U.S.B.J.  
United States Bankruptcy Court  
District of New Jersey  
Clarkson S. Fisher U.S. Courthouse, 2<sup>nd</sup> Floor  
402 East State Street  
Trenton, NJ 08608

**RE: Hollister Construction Service, LLC  
Case No.: 19-27439-MBK  
Our File NO.: 4027-1**

Dear Judge Kaplan:

This office is counsel to Dehn Bros. Fire Protection, Inc. ("Dehn Bros.") and is in receipt of a Motion filed by the non-debtors, Newark Warehouse Urban Renewal, LLC and Newark Warehouse Redevelopment Company, LLC (collectively hereafter "Newark Warehouse") to enforce the Automatic Stay. Please accept this correspondence as Dehn Bros.'s opposition to the involved Motion and joining in the opposition and responses filed by Control Services, LLC, Apple Coring & Sawing, LLC and Hollister Construction Services, LLC.

On or about December 11, 2019, this office filed a Construction Lien Claim against property owned by Newark Warehouse. Prior to filing the Construction Lien Claim, I reviewed Hollister Construction Service, LLC's bankruptcy docket; in particular, the "First Order Enforcing the Automatic Stay" (docket no. 140) and the Order dated October 11, 2019 granting Newark Warehouse's Motion lifting the automatic stay (docket no. 303). After my review, I believed that Dehn Bros. had the right to file a Construction Lien Claim. Prior to filing the Construction Lien Claim, I spoke with Bruce Buechler, Esq., one of the attorneys at Lowenstein

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January 8, 2020

Page 2 of 2

Sandler LLP representing the debtor, Hollister Construction Services, LLC (hereafter "Hollister") and advised that based upon my review of the above, Dehn Bros. would not be in violation of the Court's Order if they proceeded with filing the Construction Lien Claim. Based upon my conversation with Mr. Buechler, I believe he concurred with my position. After filing the Construction Lien Claim, I provided Mr. Buechler with a courtesy copy of same.

In light of the above, it is respectfully requested that the involved Motion filed by Newark Warehouse be denied.

In addition, I have received the Notice of Agenda of Matters scheduled for tomorrow's hearing. It appears that there are a number of matters being heard tomorrow that do not involve this office and may take a large portion of the morning. In light of this fact, it would therefore be respectfully requested that Your Honor allow this office to attend the hearing telephonically.

Thanking Your Honor for taking the time and consideration with regard to this matter, I remain...

Respectfully Yours,  
**DURKIN & DURKIN, LLC**

By:



M. Murphy Durkin

MMD: mma

Enclosures

Cc: Dehn Bros. Fire Protection, Inc.

All Counsel of Record (via cm/ecf)